

**SEVENTY-EIGHTH LEGISLATIVE DAY
MONDAY, MARCH 28, 2005**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Prayer was offered by Representative Andrus.

The Pledge of Allegiance was led by Kristen Richter, Page.

Approval of Journal

March 28, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fourth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

March 24, 2005

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 152, H 153, and H 154

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 25, 2005

Mr. Speaker:

I transmit herewith enrolled **S 1074**, as amended, **S 1165**, **S 1200**, **S 1202**, **S 1203**, **S 1204**, **S 1205**, **S 1206**, **S 1207**, **S 1208**, and **S 1209** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1074**, as amended, **S 1165**, **S 1200**, **S 1202**, **S 1203**, **S 1204**, **S 1205**, **S 1206**, **S 1207**, **S 1208**, and **S 1209** and, when so signed,

ordered them returned to the Senate.

March 25, 2005

Mr. Speaker:

I return herewith enrolled **H 327**, **H 328**, **H 329**, **H 330**, **H 338**, **H 339**, **H 340**, **H 341**, **H 342**, **H 38**, **H 97**, as amended, **H 252**, **H 271**, **H 261**, **H 197**, as amended, **H 159**, **H 138**, **H 263**, **H 139**, as amended, **H 160**, as amended, **H 54**, **H 68**, as amended, **H 193**, and **H 266** which have been signed by the President.

WOOD, Secretary

Enrolled **H 327**, **H 328**, **H 329**, **H 330**, **H 338**, **H 339**, **H 340**, **H 341**, **H 342**, **H 38**, **H 97**, as amended, **H 252**, **H 271**, **H 261**, **H 197**, as amended, **H 159**, **H 138**, **H 263**, **H 139**, as amended, **H 160**, as amended, **H 54**, **H 68**, as amended, **H 193**, and **H 266** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 24, 2005

Mr. Speaker:

I transmit herewith **S 1228** which has passed the Senate.

WOOD, Secretary

S 1228 was filed for first reading.

March 25, 2005

Mr. Speaker:

I transmit herewith **SJM 110**, **S 1170**, as amended, **S 1197**, as amended, **S 1201**, and **S 1230** which have passed the Senate.

WOOD, Secretary

SJM 110, **S 1170**, as amended, **S 1197**, as amended, **S 1201**, and **S 1230** were filed for first reading.

March 24, 2005

Mr. Speaker:

I return herewith **H 352**, **H 355**, **H 356**, **H 357**, **H 358**, **H 359**, and **H 360** which have passed the Senate.

WOOD, Secretary

H 352, **H 355**, **H 356**, **H 357**, **H 358**, **H 359**, and **H 360** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 25, 2005

Mr. Speaker:

I return herewith **HJM 7**, **HJM 9**, **H 322**, **H 337**, **H 324**, and **H 127**, as amended, which have passed the Senate.

WOOD, Secretary

HJM 7, **HJM 9**, **H 322**, **H 337**, **H 324**, and **H 127**, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 24, 2005

Mr. Speaker:

I return herewith **H 174**, as amended, and **H 101**, as amended, which have failed to pass the Senate.

WOOD, Secretary

March 28, 2005

H 174, as amended, and **H 101**, as amended, were filed in the Office of the Chief Clerk.

March 25, 2005

Mr. Speaker:

I return herewith **H 130**, as amended, as amended in the Senate, **H 92**, as amended in the Senate, **H 36**, as amended in the Senate, **H 37**, as amended in the Senate, and **H 281**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 130, as amended, as amended in the Senate, **H 92**, as amended in the Senate, **H 36**, as amended in the Senate, **H 37**, as amended in the Senate, and **H 281**, as amended in the Senate, were ordered held at the Desk.

Mr. Clark asked unanimous consent that the House concur in the Senate amendments to **H 130**, as amended, as amended in the Senate. There being no objection, it was so ordered.

Mr. Shepherd(8) asked unanimous consent that the House concur in the Senate amendments to **H 92**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Jones asked unanimous consent that the House concur in the Senate amendments to **H 36**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Jones asked unanimous consent that the House concur in the Senate amendments to **H 37**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that the House concur in the Senate amendments to **H 281**, as amended in the Senate. There being no objection, it was so ordered.

H 130, as amended, as amended in the Senate, **H 92**, as amended in the Senate, **H 36**, as amended in the Senate, **H 37**, as amended in the Senate, and **H 281**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 28, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 377**, **H 378**, **H 379**, **H 380**, **H 381**, **H 382**, **H 383**, **H 384**, **H 385**, and **H 387** and House Amendments to **H 372**, **H 373**, **H 374**, and **H 369**.

FIELD(18), Chairman

H 387 was referred to the Revenue and Taxation Committee.

H 377, **H 378**, **H 379**, **H 380**, **H 381**, **H 382**, **H 383**, **H 384**, and **H 385** were filed for second reading.

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 6**, **H 343**, **H 344**, **H 345**, **H 346**, **H 347**, **H 348**, **H 85**, as amended, **H 49**, as amended, **H 23**, **H 249**, **H 247**, as amended, **H 203**, as amended, **H 207**, **H 208**, as amended, **H 70**, **H 17**, **H 88**, **H 72**, **H 73**, **H 74**, **H 161**, **H 135**, **H 234**, **H 162**, **H 283**, **H 213**, **H 219**, **H 220**, **H 221**, **H 238**, **H 280**, **H 299**, **H 253**, **H 215**, **H 265**, as amended, **H 188**, as amended, **H 282**, **H 277**, and **H 319**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HJM 6**, **H 343**, **H 344**, **H 345**, **H 346**, **H 347**, **H 348**, **H 85**, as amended, **H 49**, as amended, **H 23**, **H 249**, **H 247**, as amended, **H 203**, as amended, **H 207**, **H 208**, as amended, **H 70**, **H 17**, **H 88**, **H 72**, **H 73**, **H 74**, **H 161**, **H 135**, **H 234**, **H 162**, **H 283**, **H 213**, **H 219**, **H 220**, **H 221**, **H 238**, **H 280**, **H 299**, **H 253**, **H 215**, **H 265**, as amended, **H 188**, as amended, **H 282**, **H 277**, and **H 319**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 28, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 372**, as amended, **H 373**, as amended, **H 374**, as amended, and **H 369**, as amended.

FIELD(18), Chairman

H 372, as amended, **H 373**, as amended, **H 374**, as amended, and **H 369**, as amended, were filed for first reading of engrossed bills.

March 28, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 297**, **H 64**, **H 302**, and **H 309** to the Governor at 10:40 a.m., as of this date, March 24, 2005.

FIELD(18), Chairman

March 28, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 316**, **H 191**, **H 192**, **H 204**, **H 205**, **H 206**, **H 245**, **H 165**, **H 94**, as amended, **H 157**, **H 67**, **H 132**, **H 133**, **H 229**, **H 18**, **H 231**, **H 185**, as amended, **H 182**, **H 178**, **H 40**, **H 99**, **H 264**, **H 214**, as amended, and **H 224** to the Governor at 2:45 p.m., as of this date, March 24, 2005.

FIELD(18), Chairman

March 28, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 17** and **HJM 4** to the Secretary of State at 2:36 p.m., as of

this date, March 24, 2005.

FIELD(18), Chairman

March 24, 2005

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **S 1217** and recommend that it do pass.

JONES, Chairman

S 1217 was filed for second reading.

March 24, 2005

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1196** and recommend that it do pass.

BLOCK, Chairman

S 1196 was filed for second reading.

March 24, 2005

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1158**, as amended, and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

S 1158, as amended, was placed on General Orders for consideration.

March 28, 2005

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 376** and recommend that it do pass.

DEAL, Chairman

H 376 was filed for second reading.

March 28, 2005

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 386** and recommend that it do pass.

CROW, Chairman

H 386 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 27 BY APPROPRIATIONS COMMITTEE A CONCURRENT RESOLUTION AUTHORIZING THE IDAHO PARKS AND

RECREATION BOARD AND THE OFFICE OF THE GOVERNOR TO PROCEED WITH CERTAIN FACT-FINDING, PLANNING AND REPORTING STEPS WITH REGARD TO PONDEROSA STATE PARK.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the state of Idaho has already invested considerable resources in the acquisition and development of the Lakeview property to expand recreational opportunities in Ponderosa State Park; and

WHEREAS, the Idaho Department of Parks and Recreation has been encouraged to develop self-supporting entrepreneurial approaches to park operations on a smaller scale through the rental of camper cabins and yurts, and small retail and marina operations in our park system; and

WHEREAS, the construction and operation of a guest lodge represents a significant new direction in our park system; and

WHEREAS, the proposed new amenities for the park which, in addition to the guest lodge, include the development of smaller rustic cabins, new waterfront access for the public, expanded parking, improvements to the former church camp at Kokanee Cove, extended day use and visitor services, a redesigned park entrance, expanded group campsites, and possible learning center opportunities with the University of Idaho; and

WHEREAS, the Ponderosa General Development Plan, created through extensive public involvement in 1994, has not been updated to evaluate the overall impacts of the major new amenities proposed for Ponderosa State Park, nor has the Legislature been afforded adequate time to review this major improvement project.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature hereby authorizes the Idaho Parks and Recreation Board and the Office of the Governor to utilize up to one hundred thousand dollars (\$100,000) of existing appropriations from the Idaho Department of Parks and Recreation and/or the Office of the Governor for various fact-finding, planning and reporting activities.

BE IT FURTHER RESOLVED, that the executive branch is encouraged to seek private donations to assist in the planning and reporting activities.

BE IT FURTHER RESOLVED, that such activities shall include the solicitation of public input, analysis of alternative plans, development of a business plan in regard to the operation of the guest lodge and cabins, evaluation of traffic and overall public impacts as they relate to the current classification of the park as a natural park.

BE IT FURTHER RESOLVED, that passage of this resolution in no way constitutes approval of the project, and that the Idaho Department of Parks and Recreation shall report its findings and proposals to the Joint Finance-Appropriations Committee at their fall interim meeting and the findings and proposals shall be formally presented to the Legislature as part of the budget request for fiscal years 2006 and 2007, and further, will clearly outline the costs, impacts and timetables which will allow the Governor and the Legislature the time and information to make the best decision for the future of Ponderosa State Park.

HCR 27 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SJM 110, by State Affairs Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

Mrs. Crow asked unanimous consent that **H 308**, as amended, be returned to the Revenue and Taxation Committee. There being no objection, it was so ordered.

HOUSE BILL NO. 388 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2006.

H 388 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1228, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Environment, Energy, and Technology Committee.

S 1201, by State Affairs Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

S 1170, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Education Committee.

S 1197, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1230, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 372, as amended, **H 373**, as amended, and **H 374**, as amended, by Ways and Means Committee, were introduced, read the first time by title and filed for second reading.

H 369, as amended, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

S 1160 and **S 1164**, as amended, as amended in the House, by Judiciary and Rules Committee, were read the second time by

title and filed for third reading.

S 1224 and **S 1225**, by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1210 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **S 1210** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Anderson, Jones, Roberts, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1210** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1211 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1211** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, McGeachin, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Trail, Wood, Mr. Speaker. Total -- 58.

NAYS -- Andrus, Barrett, Harwood, Loertscher, Mathews, McKague, Nielsen. Total -- 7.

Absent and excused -- Anderson, Jones, Roberts, Stevenson, Wills. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1211** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1212 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **S 1212** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, McGeachin, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Loertscher, Mathews, McKague, Nielsen, Sali. Total -- 6.

Absent and excused -- Anderson, Wills. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1212** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1213 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

Pursuant to Rule 38(3), Mr. Clark disclosed a conflict of interest regarding **S 1213** and asked unanimous consent to be excused from voting. There being no objection, it was so ordered.

The question being, "Shall **S 1213** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Anderson, Clark, Garrett. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **S 1213** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1214 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **S 1214** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Anderson, Garrett. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1214** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1215 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1215** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- LeFavour. Total -- 1.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1215** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1216 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1216** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henderson, Jones, Kemp, Lake, McKague, Miller, Nonini, Raybould, Ring, Roberts, Rusche, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24)(Frost), Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 47.

NAYS -- Andrus, Bastian, Boe, Hart, Henbest, Jaquet, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Ringo, Sali, Sayler, Smith(30), Smylie, Trail. Total -- 22.

Absent and excused -- Crow. Total -- 1.

Paired Vote:

AYE -- Anderson. NAY -- Moyle.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1216** passed the House. Title was approved and the bill was ordered returned to the Senate.

HCR 26 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **HCR 26** be adopted?"

Whereupon the Speaker declared **HCR 26** adopted by voice vote and ordered the resolution transmitted to the Senate.

H 336, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood to open debate.

The question being, "Shall **H 336**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart,

Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Anderson, Bell. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 336**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1180 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood to open debate.

The question being, "Shall **S 1180** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- Stevenson. Total -- 1.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1180** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1189 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cannon to open debate.

The question being, "Shall **S 1189** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin,

McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1189** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1104 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1104** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Jones, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24)(Frost), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Bayer, Deal, Harwood, Lake, Moyle, Sali, Skippen, Snodgrass. Total -- 9.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1104** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1086, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

The question being, "Shall **S 1086**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini,

Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Anderson, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1086**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1163, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shepherd(8) to open debate.

The question being, "Shall **S 1163**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1163**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1062, as amended, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ring to open debate.

The question being, "Shall **S 1062**, as amended, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Jones, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller,

Mitchell, Nielsen, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Bayer, Eskridge, Hart, Harwood, Kemp, McKague, Moyle, Nonini, Raybould, Schaefer, Wood. Total -- 12.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1062**, as amended, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that the House recess until 1:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 389

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF BUILDING SAFETY IN THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2006; AND AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 390

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR THE REGULATORY BOARDS FOR FISCAL YEAR 2006; AND AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 391

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5201, IDAHO CODE, TO REVISE THE DEFINITION FOR "GROUND WATER USER."

HOUSE BILL NO. 392

BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS FOR STATEWIDE WATER ISSUES; TO PROVIDE LEGISLATIVE FINDINGS; AUTHORIZING THE WATER RESOURCE BOARD TO PURCHASE CERTAIN WATER RIGHTS AND LEASE A PORTION TO THE BUREAU OF RECLAMATION; APPROPRIATING AND TRANSFERRING GENERAL FUND MONEYS TO THE IDAHO WATER RESOURCE BOARD REVOLVING DEVELOPMENT FUND FOR FISCAL YEAR 2005; APPROPRIATING AND TRANSFERRING LIQUOR CONTROL FUND MONEYS TO THE IDAHO WATER RESOURCE BOARD REVOLVING DEVELOPMENT FUND FOR FISCAL YEAR 2005; APPROPRIATING AND TRANSFERRING GENERAL FUND MONEYS TO THE IDAHO WATER RESOURCE BOARD REVOLVING DEVELOPMENT FUND FOR FISCAL YEAR 2006; APPROPRIATING ADDITIONAL MONEYS TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2006; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2006; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2006; AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2006; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR SPECIFIED PROJECTS FOR FISCAL YEAR 2006; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR A SPECIFIC PROJECT FOR FISCAL YEAR 2006; AND DECLARING AN EMERGENCY FOR SECTIONS 1 THROUGH 4 OF THIS ACT.

H 389, H 390, H 391, and H 392 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1160** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1160** be read the first time by title, second time by title, and third time

at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1160** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1160** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1160** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1164**, as amended, as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring

all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1164**, as amended, as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1164**, as amended, as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. LeFavour to open debate.

The question being, "Shall **S 1164**, as amended, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- McKague. Total -- 1.

Absent and excused -- Anderson, Andrus. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1164**, as amended, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1224** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1224** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1224** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **S 1224** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Nonini, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24)(Frost), Stevenson, Wills, Wood, Mr. Speaker. Total -- 51.

NAYS -- Bastian, Boe, Edmunson, Ellsworth, Jones, LeFavour, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Ringo, Sayler, Smith(30), Smylie, Snodgrass, Trail. Total -- 18.

Absent and excused -- Andrus. Total -- 1.

Paired Votes:

AYE -- Bradford. NAY -- Smith(30).

AYE -- Martinez. NAY -- Sayler.

AYE -- Anderson. NAY -- Moyle.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1224** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1225** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1225** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1225** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1225** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Shirley, Skippen, Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 56.

NAYS -- Henbest, Jaquet, Jones, LeFavour, Martinez, Mitchell, Pasley-Stuart, Ringo, Rusche, Sayler, Shepherd(2),

Smith(30), Trail. Total -- 13.

Absent and excused -- Andrus. Total -- 1.

Paired Votes:

AYE -- Boe. NAY -- Mitchell.

AYE -- Collins. NAY -- Martinez.

AYE -- Bradford. NAY -- Smith(30).

AYE -- Anderson. NAY -- Pasley-Stuart.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1225** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 28, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 392**.

FIELD(18), Chairman

H 392 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 373**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 373**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Anderson, Harwood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 373**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 373**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Barrett, Loertscher, Ringo. Total -- 3.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 373**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 374**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 374**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Anderson, Harwood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 374**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 374**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Harwood, Loertscher, McKague, Sali, Wood. Total -- 6.

Paired Vote:

AYE -- Anderson. NAY -- Barrett.
(Pair enumerated in roll call above.)
Total -- 70.

Whereupon the Speaker declared **H 374**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 392** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 392** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Anderson, Harwood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 392** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

Ms. Henbest asked unanimous consent that, pursuant to Rule 22, discussion of be allowed in debate of **H 392**. There being no objection, it was so ordered.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **H 392** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Barrett, Henbest, Loertscher, Pasley-Stuart, Ringo, Sali, Schaefer. Total -- 7.

Absent and excused -- None.

Paired Vote:

AYE -- Anderson. NAY -- Barrett.
(Pair enumerated in roll call above.)
Total -- 70.

Whereupon the Speaker declared **H 392** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Sali asked unanimous consent that he be allowed to change his vote on **H 373**, as amended, from "AYE" to "NAY". There being no objection, it was so ordered.

Whereupon the Speaker declared the corrected roll call for **H 373**, as amended, resulted as follows:

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sayler, Schaefer,

Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Barrett, Loertscher, Ringo, Sali. Total -- 4.

Absent and excused -- Anderson. Total -- 1.

Total -- 70.

Mr. Denney asked unanimous consent that the following members be allowed to vote as indicated on the bills that were before the House on Thursday, March 24, 2005, while the Health and Welfare Committee was meeting. There being no objection, it was so ordered.

Voting "AYE" on the question to suspend rules on **S 1222** were Representatives Bilbao, Block, Garrett, Henbest, Loertscher, McGeachin, Nielsen, Ring, Rusche, Sali, and Shepherd(8).

Corrected roll call for Suspension of Rules on **S 1222** is as follows:

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Barrett, Ellsworth, Jaquet, Jones, Martinez, Stevenson, Mr. Speaker. Total -- 7.

Total -- 70.

Voting "AYE" on the final passage of **S 1222** was Representative Block.

Corrected roll call for final passage of **S 1222** is as follows:

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Shirley, Skippen, Smith(24)(Frost), Stevenson, Wills, Wood. Total -- 47.

NAYS -- Bastian, Boe, Edmunson(Barker), Ellsworth, Henbest, Jaquet, Jones, LeFavour, Martinez, Miller, Mitchell, Pasley-Stuart, Pence, Ringo, Rusche, Sayler, Shepherd(2), Smith(30), Smylie, Snodgrass, Trail. Total -- 21.

Absent and excused -- Barrett, Mr. Speaker. Total -- 2.

Paired Vote:

AYE -- Bradford. NAY -- Ellsworth.

(Pair enumerated in roll call above.)

Total -- 70.

Voting "AYE" on the final passage of **H 375** were Representatives Bilbao, Block, Garrett, Loertscher, McGeachin, Nielsen, Ring, Rusche, Sali, and Shepherd(8).

Corrected roll call for final passage of **H 375** is as follows:

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 63.

NAYS -- LeFavour, Ringo, Trail. Total -- 3.

Absent and excused -- Barrett, Ellsworth, Roberts, Wills. Total -- 4.

Total -- 70.

Voting "AYE" on the final passage of **H 368** were Representatives Bilbao, Block, Garrett, Henbest, Loertscher, McGeachin, Nielsen, Ring, Sali, and Shepherd(8).

Voting "NAY" on the final passage of **H 368** was Representative Rusche.

Corrected roll call for final passage of **H 368** is as follows:

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Henbest, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 64.

NAYS -- Rusche. Total -- 1.

Absent and excused -- Barrett, Edmunson(Barker), Ellsworth, Skippen, Wills. Total -- 5.

Total -- 70.

Voting "AYE" on the final passage of **HCR 25** were Representatives Bilbao, Block, Garrett, Henbest, Loertscher, McGeachin, Nielsen, Ring, Rusche, Sali, and Shepherd(8).

Corrected roll call for final passage of **HCR 25** is as follows:

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer,

Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 65.

NAYS -- None.

Absent and excused -- Barrett, Ellsworth, Skippen, Wills, Mr. Speaker. Total -- 5.

Total -- 70.

Mr. Denney asked unanimous consent that the roll call for final passage of **H 298**, as amended, be corrected as follows:

Representative Sali voting "NAY" and Representative Mitchell voting "AYE".

Corrected roll call for final passage of **H 298**, as amended, is as follows:

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bedke, Bilbao, Black, Bradford, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Harwood, Jaquet, Jones, Lake, Miller, Mitchell, Nielsen, Nonini, Pence, Raybould, Roberts, Schaefer, Shepherd(8), Shirley, Skippen, Smith(24)(Frost), Snodgrass, Stevenson, Wills. Total -- 34.

NAYS -- Barraclough, Bastian, Bell, Boe, Bolz, Cannon, Chadderdon, Edmunson(Barker), Field(23), Hart, Henbest, Henderson, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Moyle, Pasley-Stuart, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Smith(30), Smylie, Trail, Wood. Total -- 32.

Absent and excused -- Barrett, Block, Garrett, Mr. Speaker. Total -- 4.

Paired Votes:

AYE -- Bilbao.	NAY -- Ring.
AYE -- Jaquet.	NAY -- Henbest.
AYE -- Nielsen.	NAY -- McGeachin.
AYE -- Shepherd(8).	NAY -- Rusche.
AYE -- Eskridge.	NAY -- Smith(30).
AYE -- Ellsworth.	NAY -- Loertscher.
AYE -- Collins.	NAY -- Martinez.
AYE -- Mitchell.	NAY -- Sali.

(Pairs enumerated in roll call above.)

Total -- 70.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Tuesday, March 29, 2005. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 4:20 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk